IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 240 OF 2006

1. Baburay Pundlik Salunke & 3 ors.] .. Petitioners

Versus

1. Union of India & 2 ors.] .. Respondents

Mr.V.N. Singnapurkar i/b H.N. Associates for the petitioners.

Mr. V.S. Masurkar with Mr. N.D. Sharma for the respondent No.1.

Ms. S.I. Shah for respondents No.2 and 3.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.

DATED: 22ND MARCH, 2006

P.C. :

. Petitioner is being charged for having assets disproportionate to his known source of income before a Criminal Court. In the meantime, the respondents have also issued a chargesheet to the petitioner. By the present Petition, the petitioner prays that the domestic enquiry be stayed on the ground that nature of evidence is the same. We are unimpressed. In such matters, the extra ordinary jurisdiction of this Court should not be allowed to be exercised specially for those who are

charged for offences of the nature which is before us. Those charged for criminal offences, knowing fully well the time taken in the criminal process to be completed, get an undue advantage of continuing in office and the benefit of suspension allowance if they are under suspension.

2. In the circumstances, we are of the opinion that it is the bounden duty of the respondent- authority to proceed with the enquiry and complete it at the earliest. The law on the subject is also clear. It is only in extreme cases that this Court may interfere. This is not one such case.

3. Petition dismissed.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]